

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

RICHARD TYSON,)	
)	
Petitioner,)	
)	
vs.)	Case No. 4:10-CV-1610-JCH
)	
ATTORNEY GENERALS and)	
STATE OF MISSOURI,)	
)	
Respondents.)	

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court on petitioner's motion to proceed in forma pauperis [Doc. #2]. The Court will grant the motion on a provisional basis. Additionally, for the reasons set forth below, the Court will transfer this case to the United States District Court for the Western District of Missouri.

Petitioner, a resident of the Sexual Offender Rehabilitation and Treatment Center ("SORTS"), which is located in the Eastern District of Missouri, seeks a writ of habeas corpus under 28 U.S.C. 2254. Petitioner is challenging a judgment imposed in Jackson County, Missouri, that resulted in his present commitment as a sexually violent predator. Jackson County is located in the Western District of Missouri.

The Eastern and Western Districts of Missouri both have jurisdiction over the instant petition. See 28 U.S.C. § 2241(d). In such an instance as this, the Court may transfer the petition to the Western District "in furtherance of justice." Id. Additionally, the Court has entered an administrative order stating that, absent any unusual circumstances, any habeas petition challenging a conviction or sentence arising out of a proceeding in the Western District of Missouri should be transferred to that district. In re Business of the Court, January 27, 1986. As a result, the Court will order that this case be transferred to the United States District Court for the Western District of Missouri.

Accordingly,

IT IS HEREBY ORDERED that petitioner's motion to proceed in forma pauperis is **provisionally GRANTED**, subject to modification by the United States District Court for the Western District of Missouri.

IT IS FURTHER ORDERED that the Clerk shall transfer this case to the United States District Court for the Western District of Missouri. See 28 U.S.C. § 2241(d).

Dated this 13th day of September, 2010.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE